

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA

IN THE MATTER OF:)
)
CHAPTER 13 CASES)
)

ORDER REGARDING ATTORNEYS' FEES

This Court has reviewed the allowance of attorneys' fees in Chapter 13 cases filed within this District and hereby finds and concludes as follows:

1. The Standing Trustees and the Bankruptcy Administrator have recommended that the presumptive base fee be increased to \$1,500.00 for those Chapter 13 cases filed electronically on or after August 1, 2004 through the Court's Electronic Case Filing System.

2. The above-recommended presumptive base fee is reasonable and should be adopted as the presumptive fee in Chapter 13 cases that are filed electronically in this District.

3. Other presumptive Chapter 13 fees in Chapter 13 cases shall remain at the amounts previously approved and are carried forward as hereinafter set forth in this order.

It is therefore ORDERED, ADJUDGED AND DECREED as follows:

1. The presumptive base fee for attorneys for debtors in Chapter 13 cases that are filed electronically on or after August 1, 2004 through the Court's Electronic Case Filing System in this District shall be \$1,500.00;

2. The presumptive base fee for attorneys for debtors in Chapter 13 cases that are not filed electronically on or after August 1, 2004 shall be \$1,300.00;

3. Applications for approval of a base fee greater than the foregoing presumptive base fee amounts must be filed by the debtor's attorney within (30) thirty days of the conclusion of the Meeting of Creditors held pursuant to 11 U.S.C. § 341;

4. The base fee in Chapter 13 cases shall be paid by the Trustees in ten (10) consecutive equal monthly payments, commencing with the initial payment under the confirmed plan unless otherwise ordered by the Court;

5. The base fee in Chapter 13 cases covers the usual and ordinary services involved in representing the debtor during the Chapter 13 case;

6. Non-base services not covered by the presumptive base fee include the following services for which the following compensation is deemed presumptively reasonable and allowable:

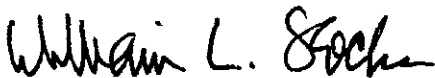
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|--|-------|
| (A) Motion for Authority to Sell Realty | \$350 |
| (B) Motion for Authority to Refinance Realty | \$450 |
| (C) Motion for Authority to Sell Personal Property | \$250 |
| (D) Motion to Substitute Collateral | \$450 |
| (E) Motion to Incur Indebtedness | \$250 |

7. If a request for the presumptive fees described in paragraph six is included in the motion seeking relief of a type described in paragraph six, such compensation shall be allowable at the hearing on the motion unless otherwise ordered by the Court;

8. Representation of the debtor in adversary proceedings also constitutes a non-base service. However, applications for approval of attorney's fees for representation of the debtor in an adversary proceeding must be made by separate itemized application to the court; and

9. This order shall be effective for Chapter 13 cases filed on or after August 1, 2004, and shall remain in effect until otherwise ordered by this court.

This 31st day of August, 2004.



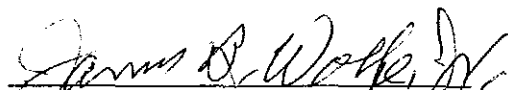
WILLIAM L. STOCKS
Chief, U. S. Bankruptcy Judge



CATHARINE R. CARRUTHERS
U. S. Bankruptcy Judge



THOMAS W. WALDREP, JR.
U. S. Bankruptcy Judge



JAMES B. WOLFE, JR.
U. S. Bankruptcy Judge